

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-16296), Variance (VAR-16298, and General Plan Amendment (GPA-16294) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 12/21/06, landscape plan date stamped 01/04/07, floor plans date stamped 12/21/06 and building elevations date stamped 08/25/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffering is hereby approved, to allow no perimeter landscape buffer in the side yard and to allow three feet of perimeter landscape buffer in the rear yard. Perimeter landscape buffers shall be in conformance with the landscape plan date stamped 1/4/07.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
14. Site development to comply with all applicable conditions of approval for ZON-16296 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed conversion of a single-family residence to an office on 0.17 acres at 410 Spencer Street.

This conversion of a residence to an office has several deviations from standards, requiring a Rezoning (ZON-16296), and a General Plan Amendment (GPA-16294). The rezoning to a P-R (Professional Office and Parking) District is considered inappropriate based on the context and is not supported. The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12. While redevelopment in this area of the city is encouraged, a use of a less intense nature is desired. The project calls for too many deviations from standards; therefore, denial of this application is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended denial of companion item GPA-16294 and ZON-16296 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #23/jm).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<i>Neighborhood Meeting</i>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	Y
Special Purpose and Overlay Districts		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	62 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side (north) • Side (south) • Rear 	20 Feet 5 Feet 5 Feet 15 Feet	26.5 Feet 8.5 Feet 14.5 Feet 60.5 Feet	Y
Max. Lot Coverage	50%	11.6 %	Y
Max. Building Height	2 Stories or 35 Feet	15 Feet	Y
Trash Enclosure	No	Access off street	Y
Mech. Equipment	Screened	Screened	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	NA	NA	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	16 Trees	19 Trees	Y
TOTAL				Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side property line)	8 Feet		Zero Feet	N*
Min. Zone Width (rear property line)	8 Feet		3 Feet	N*
Wall Height	8 Feet		Existing 8 Feet	Y

*A waiver of perimeter landscape buffer has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	859 SF	1 per 300	3	1	4	1	Y
SubTotal			3	1	4	1	
TOTAL			3		5		Y

Waivers		
Request	Requirement	Staff Recommendation
Waivers to allow perimeter landscape buffer widths of zero feet in the side yard and three-feet in the rear yard where eight feet is the minimum required.	Per 19.12.040 – A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street right-of-way and property lines.	Denial

ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The plans show an 859 square foot single-family home on a 7,638 square foot, R-1 (Single Family Residential) zoned lot. This home was constructed in 1942 and from the photographs provided appears to have none to little landscaping in the front or back. The proposed development does not intend to change the exterior of the building. Although to permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. The site plan shows five parking spaces, including a handicap space, in the back of the lot where three is required by Title 19.10.

The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development does not intend to change the exterior of the building. To permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exists a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development does not meet the perimeter landscape buffer requirements. The applicant has requested a waiver to mitigate these deviations from the standards. The large number of deviations is an indication that the development is too intense for this location; therefore, the denial of this request is recommended.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The proposed office would be serviced by Spencer Street, a local street. In addition, Public Works would always prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

Elevations and design characteristics are consistent with the single-family residences in the area; however, no structural improvements are being made to this building to improve its character. Additionally, the applicant is proposing to waive a portion of the landscaping requirements

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The site will be subject to inspections and state licensing requirements and will not endanger the public health or compromise the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 by Planning Department

APPROVALS 0

PROTESTS 0